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Attorneys for Defendant Merck & Co., Inc.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE: Fosamax Products Liability :
Litigation :
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This Document Relates to: : 1:06-md-1789 (JFK)
Donald Kirkpatrick, individually, as :
next of kin of and as representative of the :
Estate of Agnes Kirkpatrick, deceased :
v. Merck & Co., Inc., et al. :
Case No: 1:07-cv-6126-JFK : **Rule 7.1 Statement**
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Pursuant to Rule 7.1 of the Federal Rules of Civil Procedure and to enable
Judges and Magistrate Judges of the Court to evaluate possible disqualification or
recusal, the undersigned attorneys of record for Defendant Merck & Co., Inc. certify that
it has no parent companies and are not aware of any beneficial owner of more than ten
percent of its Common Stock.

Dated: New York, New York
August 29, 2007

Respectfully submitted,

HUGHES HUBBARD & REED LLP

By: /s/
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